

Application Serial No. 10/509,640
Reply to office action of March 7, 2006

PATENT
Docket: CU-3923

REMARKS/ARGUMENTS

Reconsideration is respectfully requested.

In the Double Patenting objection under 37 CFR 1.75:

In the Office Action dated March 7, 2006, Applicant has been advised that should claim 2 be found allowable, claim 6 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof as a Double Patenting objection.

Applicant respectfully overcomes the Examiner's Double Patenting objection by deleting claim 2 without prejudice. Further, claim 6 has been amended to depend from claim 3 and so be directed for the subject matter claiming a "ceramic bottle manufacturing method" in the amendment after final.

In the claim rejections under 35 USC §112:

The Examiner rejected claims 1-8, specifically claims 1 and 3 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant respectfully overcomes the Examiner's rejection by respectfully deleting claim 1 and submitting the corrected claim 3 as follows:

In claim 3, line 11, the words "and then inserting the screw pipe (14) into" should be corrected into--while maintaining the screw pipe (14) to be combined with--; and

In claim 3, line 14, the words "inserted" should be corrected into --combined with the entrance (6) of the ceramic bottle (1)--;

Meanwhile, since previously added claims 7 and 8 are found clerical errors they have been deleted in the amendment after final.

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In the claim rejections under 35 USC §103:

Claims 1, 7 and 8

The Examiner also rejected pending claims 1, 7 and 8 under 35 USC §103 (a) as being unpatentable over Wagner 5,947,310 in view of Hwang et al. 6,539,618. Applicant respectfully overcomes the Examiner's rejection by respectfully deleting claims 1, 7 and 8.

Claims 3, 4 and 5

The Examiner also rejected pending claims 3-5 under 35 USC §103(a) as being unpatentable over Wagner 5,947,310 in view of Hwang et al. 6,539,618 as applied to claim 1, and further in view of the admitted prior art and Schleicher 2,303,303.

Applicant respectfully traverses the Examiner's rejections below.

While the Examiner alleges (see Office Action, Page 4, Para. 6) that the admitted prior art teaches that a ceramic bottle is made by assembling a funnel-shaped plaster framework with a plaster framework; filling the inner side of the plaster framework with slip to form a bottle of specific thickness by slip casting; removing the plaster frameworks; and performing plasticity processing for the ceramic bottle (pg. 1-2), and that Schleisher teach that to provide a ceramic shape with internal groove, a core form body is formed to which the ceramic is slip cast and the core form body is removed by heating during the baking or firing of the ceramic (pgs. 2-4), it would have been obvious to one of ordinary skill in the art to have made the ceramic bottle using a funnel-shaped plaster framework with a plaster framework, as taught by the admitted prior art, as the method used to slip cast a ceramic bottle. That is, the Examiner has alleged that

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combining a core form body with the funnel-shaped framework to form the internal threads of the bottle and removing the core form body during the plasticity processing would have been obvious to one of ordinary skill in the art, as Schleicher teaches that a core form body which is removed during the firing of the ceramic is used to form a ceramic shape having internal grooves. Finally, the Examiner has concluded that it would have been obvious to one of ordinary skill in the art to have removed the framework while leaving the core form body attached to the ceramic bottle during plasticity processing so as not to deform the internal threads to be formed on the ceramic bottle.

This rejection of claims 3, 4 and 5 fails to meet the criteria of the Office for a *prima facie* showing of obviousness under 35 U.S.C. §103(a). According to MPEP 706.02(j), the criteria for establishing a *prima facie* case of obviousness under 35 U.S.C. §103 mandates that:

"To establish a *prima facie* case of obviousness, three basic criteria must be met. **First**, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. **Second**, there must be a reasonable expectation of success. **Finally**, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)."

Applicant respectfully suggests that none of these criteria has been met.

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That is, although the present invention discloses "combining a screw pipe (14) with a combining medium formed at the lower part of a main entrance (4) of a funnel-shaped plaster framework (5)," there are no suggestion or motivation, for such teachings of "combination of a screw pipe (14) with a combining medium," either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings.

In addition, although the present invention discloses "separating the plaster frameworks (2)(3) from the funnel-shaped plaster framework (5) while maintaining the screw pipe (14) to be combined with the entrance (6) of the ceramic bottle (1)," there are no suggestion or motivation, for such teachings of "separating the plaster frameworks (2)(3) from the funnel-shaped plaster framework (5) while maintaining the screw pipe (14) to be combined with the entrance (6) of the ceramic bottle (1)," either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings.

Thus, the first criteria has not only been met, but also the second and third criteria have not been met since the teaching or suggestion to make the claimed combination and the reasonable expectation of success are not both found in the prior art and not based on applicant's disclosure.

Claims 1, 7 and 8

The Examiner also rejected pending claims 1, 7 and 8 under 35 USC §103 (a) as being unpatentable over DE 42 36 245 Abstract in view of Hwang et al. 6,539,618 and DE 297 03 338 Abstract. Applicant respectfully overcomes the Examiner's rejection by respectfully deleting claims 1, 7 and 8.

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Claims 2 and 6

The Examiner also rejected pending claims 2 and 6 under 35 USC §103 (a) as being unpatentable over DE 42 36 245 Abstract in view of Hwang et al. 6,539,618 and DE 297 03 338 Abstract as applied to claim 1, and further in view of JP 61-60456. Applicant respectfully overcomes the Examiner's rejection by respectfully deleting claims 1 and submitting the amended claim 6 in the amendment after final.

The Examiner's response to previous arguments

With respect to the rejection of claim 3, the Examiner maintains the position that it would have been obvious to one of ordinary skill in the art to have made the ceramic bottle using a funnel-shaped plaster framework with a plaster framework, as this is taught by the admitted prior art as used to slip cast a ceramic bottle. Combining a core form body with the funnel-shaped framework to form the internal threads of the bottle and removing the core form body during the plasticity processing (firing) would have been obvious to one of ordinary skill in the art, as Schleicher teach that a core form body which is removed during the firing of the ceramic is used to form a ceramic shape having internal grooves. It would have been obvious to one of ordinary skill in the art to have removed the framework while leaving the core form body attached to the ceramic bottle during plasticity processing so as to not deform the internal threads to be formed on the ceramic bottle during the firing process.

However, the present invention uses a combining medium formed at the lower part of a main entrance (4) of a funnel-shaped plaster framework (5) so as to be combined with a screw pipe (14), but the Examiner's cited references independently or in combination, do not teach such a combining medium implicitly or explicitly.

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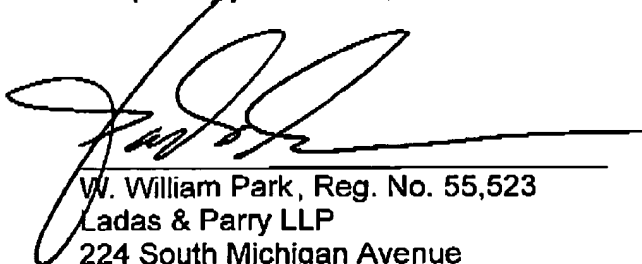
Accordingly, the present invention enables the screw pipe (14) to be combined with the entrance (6) of the ceramic bottle (1), to then form a screw projection (11) on the inner side of the entrance (6) of the ceramic bottle (1). One of ordinary skill in the art has the difficulties of creating the combining medium to be easily combined with or separated from the screw pipe, without any motivation.

Thus, at least for the same reason, claim 3 is allowable, so are all claims that depend therefrom.

Accordingly, for at least the foregoing reasons, it is respectfully submitted that the prior art references of record, either standing alone or in combination, do not anticipate nor render obvious the present invention. The Applicant therefore respectfully requests that the Examiner withdraw the rejections, and allow the present application to issue.

In view of the foregoing explanations and remarks, all claims are deemed to be in condition for allowance. Should any questions remain unresolved however, the Examiner is requested to telephone Applicant's attorney.

Respectfully submitted,



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